

compliance approach described in § 80.1454(g), producers and RIN-generating importers of renewable fuel made from feedstocks that are planted crops and crop residue from existing foreign agricultural land, planted trees or tree residue from actively managed tree plantations, slash and pre-commercial thinnings from forestlands or biomass obtained from areas at risk of wildfire must submit quarterly reports according to the schedule in paragraph (f)(2) of this section that include all of the following:

(1) A summary of the types and quantities of feedstocks used in that quarter.

(2) Electronic data identifying the land by coordinates of the points defining the boundaries from which each type of feedstock listed per paragraph (d)(1) of this section was harvested.

(3) If electronic data identifying a plot of land have been submitted previously, producers and RIN-generating importers may submit a cross-reference to that electronic data.

(e) If EPA finds that the 2007 baseline amount of agricultural land has been exceeded in any year beginning in 2010, beginning on the first day of July of the following calendar year any producers or importers of renewable fuel as defined in § 80.1401 who use planted crops and/or crop residue from existing U.S. agricultural lands as feedstock must submit quarterly reports according to the schedule in paragraph (f)(2) of this section that include all of the following:

(1) A summary of the types and quantities of feedstocks used in that quarter.

(2) Electronic data identifying the land by coordinates of the points defining the boundaries from which each type of feedstock listed per paragraph (d)(1) of this section was harvested.

(3) If electronic data identifying a plot of land have been submitted previously, producers and RIN-generating importers may submit a cross-reference to that electronic data.

(f) *Quarterly report submission deadlines.* The submission deadlines for quarterly reports shall be as follows:

(1) [Reserved.]

(2) Quarterly reports shall be submitted to EPA by the last day of the

second month following the reporting period (i.e., the report covering January–March would be due by May 31st, the report covering April–June would be due by August 31st, the report covering July–September would be due by November 30th and the report covering October–December would be due by February 28th). Any reports generated by EMTS must be reviewed, supplemented, and/or corrected if not complete and accurate, and verified by the owner or responsible corporate office prior to submittal.

(3) Reports required must be signed and certified as meeting all the applicable requirements of this subpart by the owner or a responsible corporate officer of the submitter.

(g) All reports required under this section shall be submitted on forms and following procedures prescribed by the Administrator.

[75 FR 14863, Mar. 26, 2010, as amended at 75 FR 26044, May 10, 2010]

EDITORIAL NOTE: At 75 FR 26044, May 10, 2010, § 80.1451 was amended by revising paragraph (b)(1)(ii)(M); however, the amendment could not be incorporated due to an omission of amendatory instruction.

§ 80.1452 What are the requirements related to the EPA Moderated Transaction System (EMTS)?

(a) Each party required to submit information under this section must establish an account with the EPA Moderated Transaction System (EMTS) at least 60 days prior to engaging in any RIN transactions, or July 1, 2010, whichever is later.

(b) Starting July 1, 2010, each time a domestic producer or importer of renewable fuel, or foreign renewable fuel producer who generates RINs, produces or imports a batch of renewable fuel, all the following information must be submitted to EPA via the submitting party's EMTS account within five (5) business days:

(1) The renewable fuel producer's, foreign renewable fuel producer's, or importer's name.

(2) The renewable fuel producer's or foreign renewable fuel producer's EPA company registration number.

(3) The importer's EPA company registration number if applicable.

Environmental Protection Agency

§ 80.1453

(4) The renewable fuel producer's or foreign renewable fuel producer's EPA facility registration number.

(5) The importer's EPA facility registration number.

(6) The RIN type (i.e., D code) of the batch.

(7) The production process(es) used for the batch.

(8) The production date of the batch.

(9) The category of renewable fuel of the batch, as defined in § 80.1401.

(10) The volume of the batch.

(11) The volume of denaturant and applicable equivalence value of each batch.

(12) Quantity of RINs generated for the batch.

(13) The type and volume of feedstock(s) used for the batch.

(14) An affirmation that the feedstock(s) used for each batch meets the definition of renewable biomass as defined in § 80.1401.

(15) The type of co-products produced with the batch of renewable fuel.

(16) Any additional information the Administrator may require.

(c) Starting July 1, 2010, each time any party engages in a transaction involving RINs, all the following information must be submitted to EPA via the submitting party's EMTS account within five (5) business days:

(1) The submitting party's name.

(2) The submitting party's EPA company registration number.

(3) The generation year of the RINs.

(4) The RIN assignment information (Assigned or Separated).

(5) The RIN type, or D code.

(6) Transaction type (i.e., RIN buy, RIN sell, RIN separation, RIN retire).

(7) Transaction date as per § 80.1453(a)(4).

(8) For a RIN purchase or sale, the trading partner's name.

(9) For a RIN purchase or sale, the trading partner's EPA company registration number.

(10) For an assigned RIN purchase or sale, the renewable fuel volume associated with the sale.

(11) Quantity of RINs involved in a transaction.

(12) The per gallon RIN price or the per-gallon price of renewable fuel with RINs included.

(13) The reason for retiring RINs, separating RINs, buying RINs, or selling RINs.

(14) Any additional information that the Administrator may require.

(d) All information required under this section shall be submitted on forms and following procedures prescribed by the Administrator.

§ 80.1453 What are the product transfer document (PTD) requirements for the RFS program?

(a) On each occasion when any party transfers ownership of renewable fuels or separated RINs subject to this subpart, the transferor must provide to the transferee documents identifying the renewable fuel and any RINs (whether assigned or separated) which include all of the following information, as applicable:

(1) The name and address of the transferor and transferee.

(2) The transferor's and transferee's EPA company registration numbers.

(3) The volume of renewable fuel that is being transferred, if any.

(4) The date of the transfer.

(5) [Reserved]

(6) The quantity of RINs being traded.

(7) The D code of the RINs.

(8) The RIN status (Assigned or Separated).

(9) The RIN generation year.

(10) The associated reason for the sell or buy transaction (e.g., standard trade or remedial action).

(11) Additional RIN-related information, as follows:

(i) If assigned RINs are being transferred on the same PTD used to transfer ownership of the renewable fuel, then the assigned RIN information shall be identified on the PTD.

(A) The identifying information for a RIN that is transferred in EMTS generically is the information specified in paragraphs (a)(1) through (a)(10) of this section.

(B) The identifying information for a RIN that is transferred in EMTS uniquely is the information specified in paragraphs (a)(1) through (a)(10) of this section, the RIN generator company ID, the RIN generator facility ID, and the batch number.